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tiff would be without relief. Apparently this supposition was not well founded. It is conceived that equity would have allowed a recovery upon the old note on the ground of failure of consideration; and even if this instrument itself had been physically destroyed, equity would still have permitted the plaintiff to charge the lunatic's estate with its value. Furthermore, had the plaintiff chosen to proceed at law, instead of in equity, it seems clear that an action in quasi-contract for the value of the old note would have been maintainable.

The case of *Sentance v. Poole*, already referred to, in which it was held that insanity is a real defence, although merely a *Nisi Prius* decision, has generally been regarded as representing the English law; but it must be admitted that a late decision of the Court of Appeal, *Imperial Loan Co. v. Stone*, [1892] 1 Q. B. 599, is far from being consistent with the notion of a real defence. In that case an insane surety, who had apparently received no consideration for his contract, was held liable in an action on a promissory note, in the absence of proof on his part that the other contracting party had notice. A decision so clearly at variance with true principles of justice will not, it is believed, be allowed by the English courts to remain long as a rule of law.

THE LAW SCHOOL IN THE EARLY FORTIES. — Through the courtesy of Mr. Arnold, Librarian of the School, the REVIEW is enabled to print selections from two letters received by him from Mr. George W. Huston, of Morganfield, Kentucky, who graduated from the Law School in 1843. These letters, suggesting in a charming way the atmosphere of an early period in the School's rich history, may be of interest to those familiar with the Harvard Law School of to-day.

From the first letter, which is dated February 22, 1897: —

"In daily attendance on the lectures of Judge Story and Professor Greenleaf I have a pleasing remembrance of old Harvard half a century ago. It was easy to draw the old judge from the point under consideration to a lengthy account of Chief Justice Marshall and his fellows, Mr. Wirt, Mr. Webster, etc.

"A simple question during lectures would set the Judge off at a tangent, and this was apt to be done every day. In the winter of '42, Mr. Webster and Lord Ashburton, accompanied by Lord Morpeth, were at Cambridge a length of time settling the Maine boundary question. These three men were in a habit of attending Judge Story's lectures, — access to the library being what brought them to Cambridge. — After an exhaustive consideration of some point, when Judge Story had told what Lord Mansfield thought about it and Chief Justice Marshall's opinion, and when Lord Morpeth had listened with his lips open and his heavy eyelids closed in a negative attitude, for he had inherited gout of many generations, Story would suddenly turn to the old Lord sitting on a bench with the students, 'And what is your opinion my Lord?' Morpeth would suddenly change his whole countenance, gather up his lips and his eyebrows, his eyes sparkling, and would deliver an exceedingly interesting opinion on the point under consideration. Morpeth was one of England's then able men, and it was thought he came as a watch on Ashburton, who, having an American wife, was supposed to be the man to send to settle the boundary question."

From the second letter, which is dated March 10, 1897: —

"The photograph of Dane Hall forcibly brings to my mind younger days. The building had but one room below and a single room above. The Library in the lower, and lecture and recitation room above. The Library had books on shelving on the three sides other than the front. The stairs were next the front wall. In the upper room, rows of benches ten feet long with backs plainly made, and there were our seats. The Professors occupied for two hours each day save Saturday and Sunday a chair at the west end. In winter Judge Story was absent about six weeks in attendance on the Supreme Court at Washington. The Library was used for Moot Courts, [and was] seated with chairs. Often Judge Story held his U. S. Court in the Library instead of at Boston, and the eminent lawyers of that day pleaded their cases not requiring a jury there. . . .

"Professor Greenleaf submitted this question at a Moot Court, and assigned me as one of the attorneys. For an associate (for two were put on each side) by chance a young man from the city of New York was given me. This young man was son of *the* millionaire of New York at that time, — boarded at the Tremont House in Boston, came to class now and then in a fine carriage, match horses, liveried servant, woolly dog, etc. . . . Judge Story was a low, heavy-set man, — very fair skin, blue eyes, with but little hair on his head, being very bald save a little tuft on the top of his forehead which he often combed during lectures with a fine comb carried in his vest pocket. He was easy of access and beloved by the young men. An eloquent lecturer, and often 'loomed,' as the young men called it. He kept up constant letter writing to and with many of the great men of Europe. Professor Greenleaf was taller, black hair in profusion, and keen black eyes. I have heard him say, I believe, he was forty years old before he began studying law in Maine where he was raised. He was not popular with the boys, being sometimes sarcastic. His mind was acute and his reasoning hair-splitting. I was one of a committee he requested to index his book on Evidence, and we worked faithfully to correctly do so. I hardly think, though he adopted our work, that he was satisfied with it."

GREAT ENGLISH JUDGES — KING'S BENCH. — From 1756 to 1788, William Murray, Baron and later Earl Mansfield, was Chief Justice of the Court of King's Bench. A man of broad learning and culture, an able statesman, an eloquent and convincing debater, and a graceful writer, Lord Mansfield is generally called the greatest of common law judges. Although he introduced in his court certain equitable doctrines which later and more enlightened consideration found to rest on no sound basis, and although he caused wide-spread dissatisfaction and indignation by holding that libel was a question for the determination of the court, yet his decisions on the whole, and especially in the field of mercantile litigation, strengthened and enriched the English law. Lord Mansfield was of Scotch origin, was educated at Oxford, became a member of both Houses of Parliament in turn, held the office of Attorney General, and three times refused an offer of the Great Seal. An account of his brilliant political career would comprise a history of England during his time. He took a prominent part in urging war with America; he was a member of the Cabinet during the perplexing period of the King's insanity; he held general warrants illegal, and reversed the outlawry of the notorious John Wilkes; he was bitterly attacked in certain of the